(3)

C.S. 1201

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

WRIT PETITION NO. 2425 OF 2004

BETWEEN

Ashok Kumar Nagpure S/o Late Shri Shiv Shanker Rao Nagpure, aged about 47 years, occupation Accountant, posted at District Education Officer, Raipur, resident of Badaipara, Raipur, Tehsil and District Raipur (CG).

PETITIONER

A N D

1. The State of Chhattisgarh, through the Secretary, Department of School Education, Mantralay, D.K.S. Building, Raipur (CG).

2. The District Education Officer, Raipur, Tehsil and District Raipur (CG).

3. The Collector, Raipur, Tehsil and District Raipur (CG).

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

P.R. No. 22/1/04
Presented by Shri Bhim Singh
dated C.G. Adv.

शपथ आयुक्त
छत्तीसगढ़

(25)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. NO. 2425 सन् 2004

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	3-9-2004 Shri Awadh Tripathi, counsel for the petitioner. Shri V.V.S. Murthy, Dy. Adv. General with Shri Sandeep Dubey, P.L. for the State. Application for urgent hearing is allowed. Heard. Learned counsel for the petitioner submits that the matter relates to transfer. He further submits that he is an Accountant whereas he has been posted as per Annexure P – 1 against the post of Head Clerk, which is a promotional post. He submits that as soon as some other Head Clerk is posted there, he will be again transferred and the Principal has also stated as per Annexure P-2 that the post of Accountant which the petitioner is holding is not vacant and the post of Head Clerk is vacant therefore, a Head Clerk be posted. Shri Murthy submitted that he has written to the Department concerned and instructions are awaited. Counsel for the petitioner submits that none has been posted in place of the petitioner. He further submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.	

[पीछे देखिये

XI-HC-22

(26)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.NO. 2425/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिमा आदेश

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, for the present ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 10 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within six weeks from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

Shri Tripathi submits that pending consideration of the representation, the stay may be granted.

Having considered the facts and circumstances of the case and material on record, it is directed that pending consideration of the representation, the transfer order so far as petitioner is concerned, shall remain stayed.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No. 2145/2004 also stands disposed of.

C.C. as per rules.

Sd/-
Fakhruddin
Judge

[पीछे देखिये